

DOE PLAN TO SHIFT STEWARDSHIP TO OTHER AGENCIES SPLITS AGENCY

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An Energy Department (DOE) plan to shift its long-term stewardship (LTS) of contaminated sites to other federal agencies has led to a rift between headquarters and the department's field offices, DOE and other sources say.

According to a consultant following the LTS program, DOE is weighing whether to have other federal agencies, including the Army Corps of Engineers (Corps), the Fish and Wildlife Service (FWS) and the Department of Interior's Bureau of Land Management (BLM) take over the LTS program. One private sector source says that the department promoted the idea of eliminating "elements that may not be related to an accelerated cleanup and closure mission" in its recent cleanup program review.

Specifically, DOE is planning on transferring responsibility for Hanford, WA, and Rocky Flats, CO, to the FWS. The site at Weldon Spring, MO, and numerous other former nuclear weapons production and research sites will be handled by the Corps, and uranium mill tailings sites by BLM, the consultant says.

The source adds that a rift has developed within DOE over this proposal, with headquarters supporting the idea and field offices opposing it. The Grand Junction field office, which has authority over stewardship activities, is opposing the move, the source says, because the change would strip the office of its mission. But headquarters is supporting the move, arguing that the field office should be closed down because much of its work can be delegated outside of the department, the source says.

A DOE source says the department is seriously considering this option, adding that the present environmental management (EM) structure should not remain in place to address what would be a significantly smaller program because of all the sites that have reached closure.

But another DOE source says shifting LTS responsibilities to other agencies is just one of many approaches DOE is considering to streamline the program. The department has yet to make any final decisions on the matter, the source says, and "all options are on the table."

DOE has the legal authority to transfer these responsibilities under the Economy Act of 1932, which allows one agency to do work for another, a Corps source says. The source adds that DOE is looking to FWS and others because it wants agencies that will exist for the foreseeable future in order to ensure that these sites continue to be managed properly.

The source says that the department has already approached and received generally favorable reactions from the Corps about taking on LTS responsibilities. According to the source, the Corps would be responsible for managing the sites, including monitoring the waste left behind and reporting its findings to DOE. The source says the Corps would anticipate getting additional funding for taking on the work. We "are willing to do that, . . . [and] would like to do that for them," the source says.

A BLM official says, however, that the agency does not want to take over DOE's LTS responsibilities. Responsibility for the uranium mine tailings sites involves oversight and liability issues that are inconsistent with BLM's mission, sources say. Noting the huge costs involved, a BLM source says "that would be a purely custodial responsibility" and "we don't assume liability" for other agency's sites. The source adds that "this is an attempt to offload some liability" and points to DOE's previous attempt to transfer the Naval Oil Shell Reserves sites in Utah and California to BLM.

FWS sources did not return calls for comment. But one critic of the approach questions FWS technical and financial ability to take on LTS responsibilities. FWS is "totally unequipped, [their] budget is laughable, . . . They don't have two thin dimes to rub together," a former DOE official says. A department source agrees that DOE is not sure whether other agencies are ready to take on these sites. We "don't know if they have sufficient expertise or resources," the source says, the proposal "it's too new."

Critics also allege that the department is using this move to claim success for reducing the size and cost of the cleanup program by transferring components of it away. "The way to claim success is to inflate the initial program and gut the scope," the former DOE source says.

DOE has been under fire recently for alleged reductions in its LTS budget for FY03. Critics have alleged that the department zeroed out the budget for the Weldon Spring, MO, site, undermining other states' confidence in DOE's dedication to LTS (Superfund Report, Feb. 18, p7).

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